# STATEMENT OF BASIS (AI No. 12204)

For Draft Louisiana Pollutant Discharge Elimination System Permit No. LA0124435 to discharge to waters of the State of Louisiana.

**THE APPLICANT IS:** FMT Shipyard & Repair, LLC
FMT Shipyard
2360 5th Street
Mandeville, Louisiana 70471

**ISSUING OFFICE:** Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services (Office)
Post Office Box 4313
Baton Rouge, LA 70821-4313

**PREPARED BY:** Valerie Powe

**DATE PREPARED:** February 2, 2009

## 1. PERMIT STATUS

A. Reason For Permit Action:

Permit issuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term.

B. NPDES permit: NPDES permit effective date: N/A
NPDES permit expiration date: N/A
EPA has not retained enforcement authority.

C. LPDES permits: LA0124435
LPDES permit effective date: N/A
LPDES permit expiration date: N/A

D. Date Application Received: December 17, 2008

## 2. FACILITY INFORMATION

A. FACILITY TYPE/ACTIVITY: Barge/vessel repair and painting facility

This is a new barge repair and painting facility. Chemical tank barges may be cleaned at this facility and sandblasting may occur prior to painting. The ratio of barge repair to barge cleaning is 95:5, respectively. Primary cleaning consists of recovering any residual product into a portable vacuum truck, rinsing the tank(s), and recovering the rinsate into the same portable vacuum truck. The vacuum truck is manifested and the recovered material and rinsate is sent offsite for treatment and/or disposal. No discharges occur from this facility's barge or vessel cleaning area.

This facility normally operates Monday through Friday, 24 hours per day and 7 days a week. The facility cleans a maximum of four barges per day. The facility stores diesel fuel #2, lube oil, hydraulic fluid, anti-freeze, degreaser, and fuel oil outside in uncovered secondary containment and stores paint and thinner under covered secondary containment.

B. FEE RATE
1. Fee Rating Facility Type: Minor
2. Complexity Type: I (5pt) (BPJ of complexity designation based on the "Interim Strategy for Complexity Designation Determinations for SIC Codes 3731 and 3732)
3. Wastewater Type: III
4. SIC Codes: 3731

C. LOCATION: 3640 Peters Road in Harvey, Jefferson Parish.
Latitude 29° 51' 29"; Longitude 90° 03' 43".

## 3. OUTFALL INFORMATION

Outfall 001
Discharge Type: The continuous discharge of treated sanitary wastewater.
Treatment: Biological reduction, aeration, settling chamber, and chlorination.
Location: At the point of discharge from the sewage treatment plant prior to combining with other waters.
Flow: 4,000 GPD (Continuous)
Discharge Route: By pipe into an unnamed drainage ditch to the Murphy Canal and thence to Barataria Bay via the Intracoastal Waterway.

Outfall 002
Discharge Type: The continuous discharge of treated sanitary wastewater.
Treatment: Biological reduction, aeration, settling chamber, and chlorination.
Location: At the point of discharge from the sewage treatment plant prior to combining with other waters.
Flow: 7,000 GPD (Continuous)
Discharge Route: By pipe into an unnamed drainage ditch to the Murphy Canal and thence to Barataria Bay via the Intracoastal Waterway.

Outfall 003
Discharge Type: The intermittent discharge of stormwater.
Treatment: None
Location: At the point of discharge from the barge /vessel, prior to combining with other waters.
Flow: Intermittent
Discharge Route: By pipe into an unnamed drainage ditch to the Murphy Canal and thence to Barataria Bay via the Intracoastal Waterway.

Outfall 301
Discharge Type: The intermittent discharge of equipment washwater.
Treatment: None
Location: At the point of discharge from the holding tank that is tested prior to combining with Outfall 003.
Flow: Intermittent
Discharge Route: At the point of discharge from a holding tank that is tested prior to combining with Outfall 003.

Outfall 302
Discharge Type: The intermittent discharge of hydrostatic wastewater
Treatment: None
Location: At the point of discharge from the holding tank that is tested prior to combining with Outfall 003.
Flow: 5,000 GPD (Intermittent)
Discharge Route: At the point of discharge from a holding tank that is tested prior to combining with Outfall 003.

Outfall 04A
Discharge Type: The intermittent discharge of incoming ballast and void water from customer barges
Treatment: None
Location: At the point of discharge from the work barge wing/void tanks, or dry dock ballast water, prior to combining with other waters.
Flow: Intermittent
Discharge Route: By portable pump hoses to the Harvey Canal and thence to the Barataria Bay via of the Intracoastal Waterway.

Outfall 04B
Discharge Type: The intermittent discharge of maintenance and dry dock ballast water and void water.
Treatment: None
Location: At the point of discharge from the work barge wing/void tanks, or dry dock ballast water, prior to combining with other waters.
Flow: Intermittent
Discharge Route: By pipe to the Harvey Canal and thence to the Barataria Bay via the Intracoastal Waterway.

Outfall 005
Discharge Type: The intermittent discharge of air compressor condensate.
Treatment: None
Location: At the point from the barge /vessel, prior to combining with other waters.
Flow: 250 GPD (Intermittent)
Discharge Route: By pipe into an unnamed drainage ditch into the Murphy Canal and thence to Barataria Bay via the Intracoastal Waterway.

## 4. RECEIVING WATERS

STREAM: Bayou Barataria thence into the Intracoastal Waterway.

BASIN AND SUBSEGMENT: Barataria Basin; Subsegment 020601

DESIGNATED USES: a. primary contact recreation
b. secondary contact recreation
c. propagation of fish and wildlife

## 5. TMDL STATUS

Subsegment 020601, Intracoastal Waterway – from Bayou Villars to Mississippi River, is listed on LDEQ's Final 2006 303(d) List as impaired for fecal coliform. Although TMDLs for the Barataria Basin were due to be completed by 2004, a TMDL has not yet been developed for fecal coliform for this waterbody. A TMDL will be scheduled following completion of the EPA Consent Decree TMDL schedule. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by a future TMDL.

The volume of sanitary discharges from this facility should not have a significant impact on the receiving stream. Discharges in compliance with standard sanitary effluent limitations, which includes a fecal coliform limit set at the standard end-of-pipe, should not cause or further contribute to the fecal impairment on the receiving stream.

## 6. PROPOSED EFFLUENT LIMITS

BASIS: See Rationale below.

## 7. COMPLIANCE HISTORY/COMMENTS

1. Compliance History – There are no known open, appealed, or pending water enforcement actions as of February 2, 2009.
2. DMR Review – There are no known violations.
3. Inspections – There are no known inspections on file.

Please be aware that the Department has the authority to reduce monitoring frequencies when a permittee demonstrated two or more consecutive years of permit compliance. Monitoring frequencies established in LPDES permits are based on a number of factors, including but not limited to, the size of the discharge, the type of wastewater being discharged, the specific operations at the facility, past compliance history, similar facilities, and best professional judgment of the reviewer. We encourage and invite each permittee to institute positive measures to ensure continued compliance with the LPDES permit, thereby qualifying for reduced monitoring frequencies upon permit reissuance. If the Department can be of any assistance in this area, please do not hesitate to contact us. As a reminder, the Department will also consider an increase in monitoring frequency upon permit reissuance when the permittee demonstrates continued non-compliance.

## 8. CHANGES FROM EXISTING PERMIT

There are no known changes.

## 9. PROPOSED EFFLUENT LIMITS

**Outfall 001:** The intermittent discharge of treated sanitary wastewater

| Effluent Characteristic | Monthly Average | Weekly Average | Frequency |
|---|---|---|---|
| Flow | --- | Report | 1/6 months |
| BOD5 | 30 mg/L | 45 mg/L | 1/6 months |
| TSS | 30 mg/L | 45 mg/L | 1/6 months |
| Fecal Coliform | 200 colonies/100ml | 400 colonies/ 100 mL | 1/6 months |
| pH (standard units) | --- | 6.0 (minimum) – 9.0 (maximum) | 1/6 months |

**Treatment:** Biological reduction, aeration, settling chamber, and chlorination
**Monitoring Frequency:** All parameters shall be monitored once per six months, when discharging (consistent with the current Class I Sanitary Discharge General Permit).
**Limits Justification:** Treated sanitary wastewater is regulated in accordance with LAC 33:IX.711 or 709.B, by BPJ utilizing the sanitary general permits issued by this Office, and the Louisiana Water Quality Management Plan, Volume 8, Appendices A (Areawide Policies) and B (Statewide Sanitary Effluent Limitations Policy), as applicable. Concentration limits are used in accordance with LAC 33:IX.2709.F.1.b which states that mass limitations are not necessary when applicable standards and limitations are expressed in other units of measurement. LAC 33:IX.709.B references LAC 33:IX.711 which expresses $BOD_5$ and TSS in terms of concentration. Fecal Coliform limits are based upon BPJ and the Class I Sanitary General Permit. The statistical basis for fecal coliform shall be a daily maximum in

lieu of a weekly average. Flow reporting is consistent with LAC 33:IX.2707.I.1.b. Limitations for pH are based on the previous permit, BPJ, and the Class I Sanitary General Permit.

**Outfall 002:** The intermittent discharge of treated sanitary wastewater

| Effluent Characteristic | Monthly Average | Weekly Average | Frequency |
|---|---|---|---|
| Flow | --- | Report | 1/6 months |
| BOD5 | 30 mg/L | 45 mg/L | 1/6 months |
| TSS | 30 mg/L | 45 mg/L | 1/6 months |
| Fecal Coliform | 200 colonies/100 ml | 400 colonies/ 100 mL | 1/6 months |
| pH (standard units) | --- | 6.0 (minimum) – 9.0 (maximum) | 1/6 months |

**Treatment:** Biological reduction, aeration, settling chamber, and chlorination
**Monitoring Frequency:** All parameters shall be monitored once per six months, when discharging (consistent with the current Class I Sanitary Discharge General Permit).
**Limits Justification:** Treated sanitary wastewater is regulated in accordance with LAC 33:IX.711 or 709.B, by BPJ utilizing the sanitary general permits issued by this Office, and the Louisiana Water Quality Management Plan, Volume 8, Appendices A (Areawide Policies) and B (Statewide Sanitary Effluent Limitations Policy), as applicable. Concentration limits are used in accordance with LAC 33:IX.2709.F.1.b which states that mass limitations are not necessary when applicable standards and limitations are expressed in other units of measurement. LAC 33:IX.709.B references LAC 33:IX.711 which expresses $BOD_5$ and TSS in terms of concentration. Fecal coliform limits are based upon BPJ and the Class I Sanitary General Permit. The statistical basis for fecal coliform shall be a daily maximum in lieu of a weekly average. Flow reporting is consistent with LAC 33:IX.2707.I.1.b. Limitations for pH are based on the previous permit, BPJ, and the Class I Sanitary General Permit.

**Outfall 003:** The intermittent discharge of stormwater and previously monitored effluent from Internal Outfall 301 (equipment washwater) and Internal Outfall 302 (hydrostatic test wastewater)

| Effluent Characteristic | Monthly Average | Daily Maximum | Frequency |
|---|---|---|---|
| Flow | Report | Report | 1/quarter |
| TOC | --- | 50 mg/L | 1/quarter |
| Oil and Grease | --- | 15 mg/L | 1/quarter |
| pH (standard units) | --- | 6.0 (minimum) – 9.0 (maximum) | 1/quarter |

**Treatment:** none
**Monitoring Frequency:** All parameters shall be monitored once per quarter, when discharging.
**Limits Justification:** Effluent Limits and Monitoring Frequencies are based on current guidance for similar discharges from other facilities and current stormwater guidance.

**Outfall 301:** The intermittent discharge of equipment washwater

| Effluent Characteristic | Monthly Average | Daily Maximum | Frequency |
|---|---|---|---|
| Flow | Report | Report | 1/quarter |
| TOC | --- | 50 mg/L | 1/quarter |
| Oil and Grease | --- | 15 mL | 1/quarter |

**Treatment:** None
**Monitoring Frequency:** All parameters shall be monitored once per quarter, when discharging.
**Limits Justification:** Effluent Limits and Monitoring Frequencies are in accordance with the General Rationale for Natural Gas Processing Plants and Compressor Stations and consistent with General Permit LAG480000 for Light Commercial Facilities (effective August 1, 2001).

**Outfall 302:** The intermittent discharge of hydrostatic test wastewater

| Effluent Characteristic | Monthly Average | Daily Maximum | Frequency |
|---|---|---|---|
| Flow | Report | Report | 1/event |
| TOC | --- | 50 mg/L | Once prior to proposed discharged |
| TSS | --- | 90 mg/L | Once prior to proposed discharged |
| Oil and Grease | --- | 15 mg/L | Once prior to proposed discharged |
| Benzene | --- | 50 ug/L | Once prior to proposed discharged |
| Total BTEX | --- | 250 ug/L | Once prior to proposed discharged |
| Total Lead | --- | 50 ug/L | Once prior to proposed discharged |

**Treatment:** None
**Monitoring Frequency:** All parameters shall be monitored once prior to proposed discharge.
**Limits Justification:** Effluent Limits and Monitoring Frequencies are consistent with permitted facilities with the current hydrostatic test general permit, LAG670000.

Total Organic Carbon (TOC) shall be measured on discharges from facilities which have previously been in service – i.e., those which are not new. Benzene, Total BTEX, and Total Lead shall be measured on discharges from pipelines or vessels which have been used for the storage or transportation of liquid or gaseous petroleum hydrocarbons. Therefore, Flow, TSS, Oil and Grease, and pH are the only testing requirements for new pipelines or vessels.

**Outfall 04A:** The intermittent discharge of incoming ballast and void water from customer barges

| Effluent Characteristic | Monthly Average | Daily Maximum | Frequency |
|---|---|---|---|
| Flow (MGD) | Report | Report | 1/week |
| COD | --- | 250 mg/L | 1/week |
| Oil and Grease | --- | 15 mg/L | 1/week |
| pH (standard units) | --- | 6.0 (minimum) – 9.0 (maximum) | 1/week |

**Treatment:** None
**Monitoring Frequency:** All parameters shall be monitored once per **week**, when discharging.
**Limits Justification:** Flow reporting is consistent with LAC 33:IX.2707.I.1.b. Limitations and Monitoring Frequencies for COD, oil and grease, and pH are based on current guidance for similar discharges from other facilities and best professional judgment.

Incoming ballast/void tank water from a randomly selected customer barge/vessel must be sampled once per week and tested for compliance with Part I requirements applicable to incoming ballast water. The volume of all such ballast water discharges, the date of the discharge, and the name of the vessel must be recorded in a daily operating log, a copy of which is to be submitted to LDEQ quarterly with the facility's Discharge Monitoring Reports. Discharges which exceed the specified limits must be reported to LDEQ as excursions. "Incoming ballast" means ballast water that comes into the permittee's facility on board customer barge/vessel wing tanks/ballast tanks, or is generated as a result of the permittee placing water into customer barge/vessel wing tanks/ballast tanks.

**Outfall 04B:** The intermittent discharge of maintenance and ballast water and void water

| Effluent Characteristic | Monthly Average | Daily Maximum | Frequency |
|---|---|---|---|
| Flow (MGD) | Report | Report | 1/month |
| COD | --- | 250 mg/L | 1/month |
| Oil and Grease | --- | 15 mg/L | 1/month |
| pH (standard units) | --- | 6.0 (minimum) – 9.0 (maximum) | 1/month |

**Sampling for 04B is only required if a visible sheen is present.**

**Treatment:** None
**Monitoring Frequency:** For the discharge of maintenance and dry dock ballast water and void water, all parameters shall be monitored once per **month**, whenever sampling is required.
**Limits Justification:** Effluent Limits and Monitoring Frequencies are based on current guidance for similar discharges from other facilities.

The volume of all discharges of maintenance ballast, dry dock ballast, and/or void tank water from work, treatment, spar, office barges/vessels, or dry dock(s), the date of discharge, the presence or absence of a sheen, and the name of the vessel must be recorded in a daily operating log, a copy of which is to be submitted to LDEQ quarterly with the facility's Discharge Monitoring Reports. Discharges which exceed the specified limits must be reported to LDEQ as excursions. As used in this paragraph, "maintenance ballast" means river water that has leaked into work barges/vessels which are a fixed part of the facility, and "dry dock ballast" means river water that has been pumped/flooded into a dry dock by the permittee for the purpose of maintenance and/or inspection of a vessel.

Maintenance ballast/void tank water from cleaning plant work barges/vessels, wastewater treatment barges/vessels, work barges/vessels, or the office barge/vessel, and dry dock ballast water, may be discharged without sampling for COD, Oil & Grease, and pH, provided there is no visible oil sheen. **If a visible sheen is present in the compartment containing the ballast water prior to the discharge event, or if an oil sheen is observed during the discharge event, a sample shall be taken and tested for compliance with Outfall 04B.**

**Outfall 005:** The intermittent discharge of air compressor condensate

| Effluent Characteristic | Monthly Average | Daily Maximum | Frequency |
|---|---|---|---|
| Flow | Report | Report | 1/quarter |
| TOC | --- | 50 mg/L | 1/quarter |
| Oil and Grease | --- | 15 mg/L | 1/quarter |
| pH (standard units) | --- | 6.0 (minimum) – 9.0 (maximum) | 1/quarter |

**Treatment:** None
**Monitoring Frequency:** All parameters shall be monitored once per quarter, when discharging.
**Limits Justification:** Flow reporting is consistent with LAC 33:IX.2707.I.1.b. Limitations and Monitoring Frequencies for COD, oil and grease, and pH are based on current guidance for similar discharges from other facilities and best professional judgment.

## 10. ENDANGERED SPECIES

The receiving waterbody, Subsegment 020601 of the Barataria Basin, has not been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for any species, which are listed federally as a threatened species. Also, this type of discharge is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated November 17, 2008 from Rieck (FWS) to Nolan (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species, or the critical habitat.

## 11. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

## 12. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Louisiana Department of Environmental Quality has made a tentative determination to issue a permit for the discharges described in the notice of intent.

## 13. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this

Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.
Public notice published in:

Local newspaper of general circulation;

Office of Environmental Services Public Notice Mailing List.